

Calendar date of 06/15/10

**NO FURTHER DOCUMENTS WILL BE
REVIEWED PRIOR TO HEARING.**

**The Probate Examiners can be reached at
ProbateNotes@sb-court.org.**

Emails must have the case identification information and Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. PLEASE DO NOT SEND EMAILS TO STATE THAT DOCUMENTS HAVE BEEN FILED, TO REQUEST A CONFIRMATION OF WHETHER DOCUMENTS HAVE BEEN RECEIVED, OR TO REQUEST THE CLEARING OF NOTES. No legal or procedural advice may be given.

CIVCAL4 Barstow District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JOHN B GIBSON

DATE: 06/15/10 TIME: 8:30 DEPT: B1P

CASE #: GAR BS700017 FILING DATE: 10/15/07

CASE NAME: GUARDIANSHIP OF CHRISTOPHER, AUBREY, & KATIE

HEARING:

OSC re: FCS REPORT/VISITATION filed by ROBERT MICHAELS

COUNSEL:

| | |
|------------------------|----------------------|
| CHRISTOPHER D MICHAELS | (MIN)...PRO/PER |
| AUBREY L MICHAELS | (MIN)... |
| KATIE L.M. MICHAELS | (MIN)... |
| KIVA M BUTLER | (PET)...JON K MAHLUM |
| ANGELA M MORSE | (PET)...PRO/PER |
| ROBERT MICHAELS | (DEF)... |

GENERAL INFORMATION:

Non-relative, Kiva Butler was appointed guardian on 3/5/08.

Ex-parte hearing 12/10/09 matter referred to Court Investigator and set noticed hearing.

Ex-parte re Mediation on 12/17/09 matter referred to FCS for mediation and evaluation in lieu of Court Investigator report.

Continued from 4/6/10. Court has read FCS Report and makes no orders at this time.

THIS CASE IS SET FOR HEARING ON OSC re: FCS Report/Visitation

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 2/2/10 matter came on for petition for visitation by father, Robert Michaels, minors are now 5, 4 and 3 and this hearing was set.
2. Petitioner/father alleges that guardian is impeding his visitation with the minors
3. On 12/17/09 matter referred for mediation in lieu of Court Investigator report. Need notice of hearing and proof of service.
4. **Response to OSC filed by Kiva Butler and requests supervised visitation and DNA testing.**

RECOMMENDATION;

Need notice.

(kra/fhl)

CIVCAL4 Barstow District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JOHN B GIBSON

DATE: 06/15/10 TIME: 8:30 DEPT: B1P

CASE #: GAR BS900038 FILING DATE: 11/16/09

CASE NAME: MATTER OF LUKE & ANDREW MARZAK

HEARING:

Hearing re: Petition for Appointment of Temporary
Guardian/Conservator

| | COUNSEL: |
|----------------|-----------------|
| KIMBERLY BASEL | (PG)...PRO/PER |
| JUAN MENDOZA | (PG)...PRO/PER |
| LUKE MARZAK | (MIN)... |
| ANDREW MARZAK | (MIN)... |

GENERAL INFORMATION

Temporary Letters issued 11/17/09. Matter referred to Court Investigator.

Continued from **1/12/10** at request of DCS.

Continued from **2/16/10**. Court orders homestudy fee waived. Court orders Carol Albrecht and Marlene Evans of County Adoption Service to appear. Petitioner's presence waived, but Court advises that they are welcome to appear. Matter referred to DCS.

Continued from 5/11/10. Court orders Ms. Leslie (mother of child) to file appropriate paperwork with the Court. Clerk's Office to notify Department of Child Services for progress report with or without criminal investigation.

NOTE: Temporary Letters were issued 11/17/09 and hearing on the petition for appointment of temporary guardian was continued to 1/12/10, 2/16/10, and 5/11/10. Court may wish to set hearing on the petition for appointment of general guardian.

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by non-relative, minors 5 and 3

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Need DCS report as petitioner is a non-relative. Request for continuance filed by DCS as the homestudy fee of \$250 has not been paid. **On 2/16/10, Court waived homestudy fee.**
2. Informal consent signed by mother.

3. Order dispensing with notice filed as to father, maternal grandfather, and paternal grandparents.
4. Need notice of hearing and proof of personal service on mother.
5. Need notice of hearing and proof of mail service on maternal grandparents and paternal grandparents or file due diligence declaration(s)
6. Court to review the Guardianship Questionnaire and Confidential Screening forms.

RECOMMENDATION:

Need to set matter for general appointment.

Need notice and DCS report.

(kra/fhl)